

**ENVIRONMENTAL PROTECTION AGENCY
REGION I - BOSTON**

**CLASS. NO. 1200
DELEGATION 14-9**

DELEGATION OF AUTHORITY

DATE: December 17, 2002

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT (CERCLA)

14-9. Claims Asserted Against the Fund for Response Costs

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose. To redelegate the authority contained in Delegation 14-9 issued by EPA Headquarters on July 24, 2002.

B. Authority. Pursuant to CERCLA, Sections 111, 112 and 122; 40 CFR Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP); 40 CFR Part 307, "CERCLA Claims Procedures"; and 40 CFR Part 305, "CERCLA Administrative Hearing Procedures for Claims Against the Superfund" to:

(1) preauthorize claims against the Hazardous Substance Superfund for necessary response costs; and

(2) approve reimbursement for claimed response costs;

2. TO WHOM DELEGATED. The Director, Office of Site Remediation and Restoration (OSRR).

3. REDELEGATION AUTHORITY. This authority may not be redelegated.

4. LIMITATIONS.

A. The Director, OSRR, must obtain approval from both the Assistant Administrator for Office of Solid Waste and Emergency Response (AA/OSWER) and the Assistant Administrator for Enforcement and Compliance Assurance (AA/OECA), or his/her designee, before exercising the authority in 1.B.(1) (for the original preauthorization and any modification thereto). The AA/OSWER and the AA/OECA, or his/her designee, may waive this limitation by memorandum.

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14-9. Claims Asserted Against the Fund for Response Costs (cont'd)

LIMITATIONS (CONT'D).

B. The Director, OSRR, must obtain approval from the AA/OSWER before exercising the authorities in 1.B.(2). The AA/OSWER may waive this limitation by memorandum.

C. These authorities shall be exercised subject to approved funding levels.

5. ADDITIONAL REFERENCES.

A. EPA Delegation 14-13-B *Concurrence in Settlement of Civil Judicial Actions.*

B. EPA Delegation 14-14-C *Administrative Actions Through Consent Orders.*

6. SUPERSESSSION. Region I Delegations 14-9-A, dated September 29, 1995 and Region I Delegation 14-9-B, dated September 29, 1995.

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Richard Cavagnero, Acting Director
Office of Site Remediation and Restoration

12/17/02
Date